

CHAPTER NO. 861

HOUSE BILL NO. 2565

By Representative Winningham

Substituted for: Senate Bill No. 2658

By Senator Kilby

AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 4, relative to drug testing programs in public schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-4-601, is amended by adding the following as a new subsection:

(c)

(1) Notwithstanding any provision of law to the contrary, a pilot project concerning drug testing in public schools may be conducted in accordance with the provisions of this subsection.

(2) For the purposes of such pilot project, Scott County, or municipality within such county, is authorized, by a two-thirds (2/3) vote of its legislative body, to levy an additional litigation tax per case, to be set by the county commission or municipal legislative body, as applicable, and to be denominated as part of the court costs, in matters before the local general sessions, juvenile, and municipal courts.

(3) Any revenue generated by Scott County, or a municipality within such county, pursuant to subdivision (c)(2) shall be used exclusively to support local non-profit drug testing programs authorized to operate in the public school system, and shall be distributed on a monthly basis by the county, or municipality, to such authorized local non-profit drug testing program.

(4) The taxes levied by the provisions of this subsection shall be in addition to any other taxes levied on litigation.

(5) The department of education is authorized to request information from Scott County on the results of the pilot project, and to recommend to the general assembly, or other local education agency, any element of the pilot project which may have statewide applicability.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 20, 2004



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 7th day of June 2004



PHIL BREDESEN, GOVERNOR